



April 11, 2007

*BY ELECTRONIC FILING*

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: 911 Compliance Status Report  
WC Docket No. 05-196**

Dear Ms. Dortch:

Shared Data Networks, LLC, d/b/a SDN Global ("SDN"), hereby responds to the March 12, 2007 letter from the Commission's Enforcement Bureau directing SDN to provide an update regarding its compliance with the 911 requirements for interconnected Voice over Internet Protocol ("VoIP") service.<sup>1</sup>

**As** we previously advised the Commission: SDN offers satellite-based communications services using Ku-band Very Small Aperture Terminals ("VSATs"). SDN provides interconnected VoIP to a very small number of customers as an ancillary to SDN's VSAT data services. In particular, SDN's offerings allow broadband communications in remote locations such as construction sites where comparable terrestrial services are unavailable, and SDN also provides restoration when terrestrial services are interrupted.<sup>3</sup>

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<sup>1</sup> Letter of Kathryn S. Berthot, Chief Spectrum Enforcement Division, Enforcement Bureau, to Larry W. Jones, President & CEO, Shared Data Networks, LLC, dated March 12, 2007 ("March 12 Letter").

<sup>2</sup> Letter of Karis A. Hastings, Counsel to Shared Data Networks, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, dated November 28, 2005 ("November 2005 Letter").

<sup>3</sup> For example, SDN provided communications restoration services to customers whose terrestrial networks were damaged by Hurricane Katrina, including major power companies, oil and gas distributors, and a pharmacy chain that was the largest supplier of drugs to hospitals in

SDN allows users to connect handsets to the VSAT terminal that permit the terminal to be used for VoIP communications as an adjunct to its core data offerings. In the U.S., with its ubiquitous terrestrial network, SDN has deployed a limited number of VoIP handsets to customers to permit critical communications in the event of a terrestrial service outage or to remote locations where terrestrial services are either not yet available or have been damaged. Currently, SDN has 70 customer sites at which VoIP handsets have been deployed nationwide. SDN does not market VoIP as a stand-alone service.<sup>4</sup>

Status of 911 Compliance: At the time that SDN submitted the November 2005 letter, the company had begun discussions with providers of 911 connectivity but had not yet entered into an agreement. However, SDN advised the Commission that it was committed to coming into full compliance with the Commission's requirements for enhanced 911 connectivity. Specifically, SDN stated that it intended to "finalize negotiations with a 911 connectivity provider, obtain connectivity service, and implement all necessary requirements relating to customer location information by no later than March 31, 2006." November 2005 Letter at 3-4. SDN requested any necessary waiver of the Commission's Rules to permit SDN this additional time to come into compliance with the enhanced 911 requirements. *Id.* at 4.

Subsequently, SDN entered into an agreement in December 2005 with Telefinty, a provider of 911 connectivity service for VoIP offerings. Pursuant to the terms of the agreement, Telefinty is responsible for routing 911 calls and related information from SDN's VoIP handsets, and SDN pays a monthly charge for this service, in addition to the substantial initial set-up fee that was required when the contract was executed. SDN understands that Telefinty relies on underlying 911 connectivity service provided by Intrado. Thus, SDN is fully

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New Orleans. Through its offerings abroad, SDN provides communications to the U.S. Army in Iraq and has supplied equipment needed to restore communications services in response to disasters such as the tsunami in Southeast Asia. See November 2005 Letter at 2.

<sup>4</sup> As we explained in the November 2005 letter, SDN's VoIP service differs from typical mass market VoIP offerings in important respects. First, it is not intended to serve as a substitute for traditional voice telephone service. The VSAT equipment and satellite capacity required for SDN's service make it more costly than comparable U.S. terrestrial wireline or wireless voice services. Thus, it is unlikely that an SDN customer would use the VoIP handset for a voice call unless there was no terrestrial alternative available. Second, the SDN VoIP service is typically used only for relatively short periods of time. For example, an SDN voice handset may be used at a construction site that has not yet been reached by a terrestrial wireline service until that service is built out. Alternatively, SDN's service may be used for voice calls during a terrestrial service outage until the terrestrial service is restored. Again, the economics of SDN's service dictate that a customer would prefer to use a terrestrial wireline or wireless alternative if available.

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compliant with respect to 911 service in all areas where Intrado, Telefinity's underlying provider, is fully compliant. SDN does not have information regarding the current geographic coverage of Intrado. As a result, SDN cannot provide more detailed information regarding the percentage of its VoIP customers that are receiving fully compliant 911 service.

New VoIP Customers and VoIP Marketing: As noted above, SDN does not market its VoIP offering as a stand-alone service, but provides it only as an ancillary to VSAT-based data service. Subsequent to entering into its agreement with Telefinity for 911 connectivity, SDN has continued to accept requests for deployment of VoIP handsets at customer locations, even though fully compliant 911 service may not be available at all locations from the underlying Intrado network. For example, SDN has equipped a hospital network that relies on SDN's VSAT service as back-up in the event of a terrestrial network outage with VoIP terminals.

SDN submits, however, that requiring SDN to deny requests for VoIP service at customer locations for which fully compliant 911 service is not available would be contrary to the public interest and the policies underlying the Commission's VoIP 911 rules. As discussed above and in the November 2005 letter, SDN's VoIP service is not offered or used as a substitute for a terrestrial wireline or wireless service. Instead, it is typically used only on a temporary basis to restore service when terrestrial connectivity is unavailable or at locations such as construction sites where build out of a terrestrial network has not yet occurred. Thus, the SDN VoIP offering is different from a conventional VoIP service that is marketed and used as a replacement for traditional wireline telephony, such that a customer who chooses VoIP service may be foregoing full 911 connectivity that would otherwise be available over the wireline network. Instead, in the situations where SDN's VoIP service is used, the availability of the VoIP handset means that a customer who would otherwise have *no voice connectivity at all* can make and receive voice calls. In the event of an emergency, a customer's ability to access the voice telecommunications network is clearly extremely important, even if all the features of enhanced 911 service are not available from that location.

SDN remains committed to ensuring that fully compliant 911 access is available to all SDN's VoIP customer locations as quickly as possible. By entering into an agreement with Telefinity, SDN has demonstrated its willingness to expend the resources needed to bring 911 connectivity to its VoIP customers. However, pending achievement of full nationwide coverage by Telefinity's supplier, SDN believes that the public interest would be served if SDN continues to accept new customers for VoIP service so that some voice access is available from the customer locations when the terrestrial network cannot be used. Accordingly, SDN requests any necessary waiver of the Commission's policies and rules to permit it to accept new VoIP customers pending achievement of full compliance by SDN's 911 connectivity supplier.

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Please direct any questions regarding this submission to the undersigned.

Respectfully submitted,



Larry W. Jones  
President & CEO

cc: Kathy Berthot, Deputy Chief, Spectrum Enforcement Division  
Carol Simpson, Policy Division, Public Safety and Homeland Security Bureau  
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